



DONALD L. WOLFE, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **MP-5**

July 28, 2005

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
AVENUE PENN - VAL VERDE PARK
SUPERVISORIAL DISTRICT 5
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find that:
 - a. Pursuant to Section 8334(a) of the California Streets and Highways Code, the street right of way is excess and not required for street or highway purposes.
 - b. Pursuant to Section 892 of the California Streets and Highways Code, the street to be vacated is not useful as a nonmotorized transportation facility and is not needed for present or prospective public use.

3. Adopt the enclosed Resolution of Summary Vacation to vacate that portion of Avenue Penn northeast of Witherspoon Parkway as described in Exhibit A and depicted in Exhibit B of the Resolution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Sikand Engineering, on behalf of Berkshire Industrial Investments and Jerrold S. Felsenthal, K/H-GPI, L.P., Westcourt Investment Company, and Witherspoon & Penn Properties, L.L.C., the underlying fee owners, requested this vacation to extinguish the public rights over a portion of the dedicated right of way. The conditions of approval for Tentative Parcel Map No. 20685, dated April 14, 2003, provide for the width reduction of Avenue Penn, from 84 feet wide to 66 feet wide (industrial road). Avenue Penn has been shortened and a cul-de-sac has been constructed, approximately 500 feet northeasterly of Witherspoon Parkway, due to existing area topography and impracticality of building the roadway eastward. Additional road easements were obtained from the fee owners, which enabled the construction of the cul-de-sac. The vacation of the road will not have a negative impact on any adjacent properties or the County Highway Plan. No existing public utility easements will be affected by the proposed vacation.

Avenue Penn was dedicated to the County for public road purposes in October 2000. It is in the County's best interest to vacate portions of the street since it no longer serves the purposes for which it was dedicated and it is not required for general public access, circulation, or as a nonmotorized transportation facility.

Implementation of County Strategic Plan Goal

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of this portion of Avenue Penn will result in added revenue through assessment and taxation, eliminate unnecessary maintenance cost, and remove possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the street will not have a negative fiscal impact on the County's budget. The applicant has paid a fee of \$1,500 to defray the expense of the investigation. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 30,948 square feet and is shown on the map attached to the Resolution.

The County's interest was acquired as an easement for road purposes by dedication in Parcel Map No. 19784, recorded in Book 298, pages 61 to 67, inclusive, of Parcel Maps, on file in the Registrar-Recorder/County Clerk's Office.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to relinquish the County's interest over the roadway. Adoption by your Board of Public Works' recommendation terminates the rights of the public to the vacated area and disposes of excess County right of way. Your action will also result in the property being unencumbered of the public easement, thereby allowing the underlying fee owner to exercise its reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

This proposed vacation is categorically exempt from CEQA as specified in Sections 15305 and 15321 of the State CEQA Statutes and Guidelines and as specified in Classes 5 and 21 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that the proposed vacation will not affect their ability to respond to fire and medical emergencies and that no fire protection facilities will be affected by the vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation is not in conflict with the County-adopted General Plan and that the vacation area is not suitable for bicycle paths or trails.

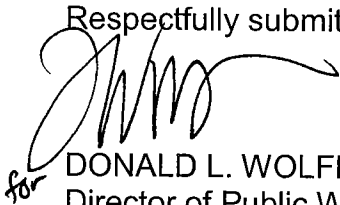
CONCLUSION

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation, approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and a copy to us for further processing. We will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed original for your files.

The Honorable Board of Supervisors
July 28, 2005
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One adopted copy of this letter is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'DWolfe', with a stylized flourish at the end.

for DONALD L. WOLFE
Director of Public Works

JLS:psr
P5\BD LTR VAL VERDE PK

Enc.

cc: Chief Administrative Officer
County Counsel

RESOLUTION OF SUMMARY VACATION

THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES
HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. The County of Los Angeles is the holder of an easement for road purposes (hereafter referred to as the Easement) in, over, and across the real property legally described in Exhibit A, and depicted on Exhibit B, both attached hereto. The Easement, Avenue Penn, is generally located in the vicinity of Val Verde Park, in the County of Los Angeles, State of California.
2. Berkshire Industrial Investments and Jerrold S. Felsenthal, K/H-GPI, L.P., Westcourt Investment Company, and Witherspoon & Penn Properties, L.L.C. (hereinafter referred to as the Fee Owners), are the underlying fee owners of the Easement and properties adjoining the Easement, depicted on Exhibit B.
3. The Easement is excess right of way and not required for street or highway purposes.
4. There are no in-place public utility facilities that are in use and would be affected by the vacation of the Easement.
5. The Easement is not useful as a nonmotorized transportation facility, as defined in Section 887 of the Streets and Highways Code.
6. The Easement is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.
7. The Department of Public Works be authorized to record the certified original Resolution in the Registrar-Recorder/County Clerk's Office of the County of Los Angeles, at which time the Easement shall no longer constitute a public street or highway.

The foregoing Resolution was on the ____ day of _____, 20____, adopted by the Board of Supervisors of the County of Los Angeles, and ex officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,
County Counsel

VIOLET VARONA-LUKENS
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By 
Deputy

By _____
Deputy

Avenue Penn
ne/o Witherspoon Parkway
A.M.B. 3271-028-085, 086, 088 & and
089
T.G. 4459 E/ 6-7
I.M. 264-077
Fifth District
M0488118

EXHIBIT "A"

That portion of Avenue Penn, 84.00 feet wide, in the unincorporated territory of the County of Los Angeles, State of California as shown on and dedicated by the map of Parcel Map No. 19784 filed in Book 298, pages 61 to 67 inclusive, of Parcel Maps, in the Office of the Recorder of said county lying northeasterly of the northwesterly prolongation of the southwesterly line of Parcel 2, of said parcel map.

EXCEPT therefrom that portion described as follows:

Commencing at the intersection of the centerline of said Avenue Penn with the center line of Witherspoon Parkway, as shown on said parcel map; thence North 19° 58' 58" East 42.00 feet to the TRUE POINT OF BEGINNING, said point being on said northwesterly prolongation of the southwesterly line of said Parcel 2; thence along said northwesterly prolongation North 70° 42' 14" West 57.70 feet to a tangent curve concave to the northwest having a radius of 25.00, tangent at its northeasterly terminus to a line 33.00 feet northwesterly of and parallel with, measured at right angles from said first mentioned center line; thence northeasterly along said curve through a central angle of 89° 18' 48" an arc distance of 38.97 feet; thence along said parallel line North 19° 58' 58" East 58.69 feet to the beginning of tangent curve concave southeasterly having a radius of 833.00 feet, 33.00 feet northwesterly of and concentric with, measured radially from that certain curve having a radius of 800.00 feet in said first mentioned center line; thence along said concentric curve through a central angle of 21° 51' 54" an arc distance of 317.89 feet to the beginning of a reverse curve concave to the west and having a radius of 90.00 feet; thence northerly along said last mentioned curve through a central angle of 17° 39' 32" an arc distance of 27.74; thence tangent to said last mentioned curve North 24° 11' 20" East 50.00 feet to the beginning of a tangent curve concave to the southwest and having a radius of 55.00 feet; thence northeasterly, southeasterly and southwesterly along said last mentioned curve through a central angle of 215° 19' 04" an arc distance of 206.69 feet; thence tangent to said last mentioned curve South 59° 30' 24" West 50.00 feet to the beginning of a tangent curve concave to the southeast and having a radius of 90.00 feet, tangent at its southwesterly terminus to a compound curve concave southeasterly having a radius of 767.00 feet, 33.00 feet southeasterly of and concentric with, measured radially from said above

mentioned 800.00 foot radius curve; thence southwesterly along said tangent curve through a central angle of 17° 39' 32" an arc distance of 27.74 feet; thence southwesterly along said compound 767.00 foot radius curve through a central angle of 21° 51' 54" an arc distance of 292.70 feet to a tangent line 33.00 feet southeasterly of and parallel with, measured at right angles, from said first mentioned center line; thence along said parallel line South 19° 58' 58" West 57.30 feet to the beginning of a tangent curve concave to the northeast and having a radius of 25.00, tangent at its southerly terminus to said northwesterly prolongation of the southwesterly line of Parcel 2; thence southerly along said last mentioned curve through a central angle of 90° 41' 12" an arc distance of 39.57 feet to said northwesterly prolongation; thence along said northwesterly prolongation North 70° 42' 14" West 58.30 feet to the TRUE POINT OF BEGINNING.

Total Area: 30, 948 ± square feet

Description Approved

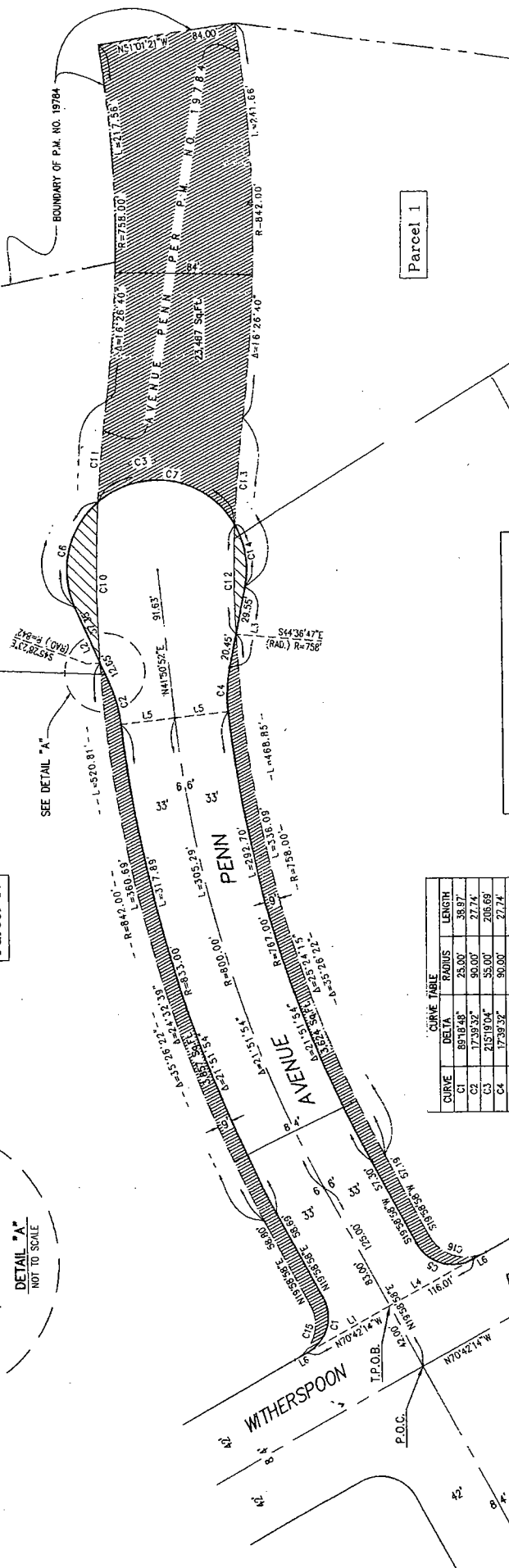
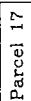
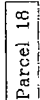
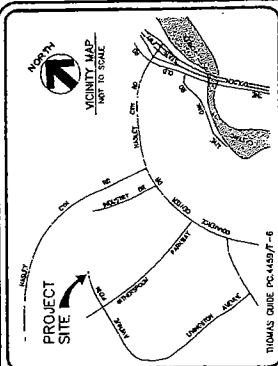
FEB 2 2005

DONALD L. WOLFE

Acting Director of Public Works

By *Carole V. Mitchell*
Cadastral Engineer II



This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the Land Surveyors Act.



CURVE TABLE				
CURVE	DETA	RADIUS	LENGTH	
C1	89°16'48"	23.00	35.97	
C2	17°35'32"	90.00	216.46	
C3	215°19'04"	30.00	208.69	
C4	7°39'31"	90.00	217.74	
C5	90°41'17"	25.00	39.51	
C6	73°40'40"	55.00	70.73	
C7	10°42'25"	55.00	96.67	
C8	7°55'46"	55.00	74.29	
C9	33°20'10"	30.00	35.00	
C10	64°04'04"	842.00	96.46	
C11	41°13'	842.00	61.65	
C12	53°43'	788.00	93.97	
C13	45°54.3"	758.00	55.80	
C14	40°55.56"	56.00	35.29	
C15	88°13'48"	25.00	39.77	

LINE TABLE		
LINE	BEARING	DISTANCE
1-1	S 70°42'14"E	57.70'
1-2	N 24°11'20"E	50.00'
1-3	S 59°30'24"W	50.00'
1-4	S 70°42'14"E	58.90'
1-5	S 48°09'08"E	33.00'

LEGEND

	Dedicated Area Total Area 1,458 : s.f.
	Area to be vacated Total Area 30,948: s.f.

Parcel 2

REVISIONS

03	2.
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3.	
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DEPARTMENT OF PUBLIC WORKS

MAPPING & PROPERTY MANAGEMENT DIVISION

SD.	RD.	A.M.B.	T.G.
5	556	3271-028	4459-E6.F6

SCALE	DATE	I.M.
NONE	12-20-04	264-077

AVENUE PENN
NE/O
WITHERSPOON
PARKWAY

DRAWING NO.
M0488118